

REMARKS

The Final Office Action dated May 28, 2008 contained a final rejection of claims 1-19. The Applicants have amended claims 1, 7 and 13. Claims 1-19 are in the case. Please consider the present amendment with the attached Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. This amendment is in accordance with 37 C.F.R. § 1.114. Reexamination and reconsideration of the application, as amended, are requested

Claims 1-19 have been provisionally rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-19 of co-pending U.S. Patent Application No. 10/635,452.

In this regard, the Applicant acknowledges the rejection. However, due to the provisional nature of the rejection, no further action is warranted at this time. The Applicant will appropriately respond to this rejection when the claims are allowed.

The Office Action rejected claims 1-19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Stewart et al. (U.S. Patent No. 6,714,964) in view of Warmus et al. (U.S. Patent No. 5,963,968) and Ryan et al. (7,206,087).

The Applicant respectfully traverses this rejection and contends that the combined cited references do not disclose, teach or suggest all of the elements of the Applicant's newly amended independent claims.

Specifically, although the combined references disclose a system where "a user may be located anywhere in the world and request copying or reproduction of a document according to specific parameters, and may view the final document electronically before the final document is produced in a hard copy format" (see col. 4, lines 58-61 of Stewart et al.) and verifying printing (Warmus et al.) and retrieving lists of capabilities of devices (Ryan et al.), the combination is still missing features of the Applicant's independent claims.

For example, the combined references do not disclose, teach or suggest the Applicant's newly amended automatically **pre-flight**ing a received document file, including automatically checking for common errors associated during a prepress stage, automatically revising incorrect printing instructions and automatically adding missing printing instructions to the received document file, automatically providing a

remote proofing function for a customer of the document file to be printed and automatically tracking the printing of the document file by continuously monitoring and updating a status of the document file to be printed and creating a press ready file at the designer location using the automatically pre-flighted and automatically proofed document file and the updated device information. Support for these amendments can be found throughout the specification, and in particular, in paragraphs [0024] - [0025] and [0040] - [0046] of the Applicant's published patent application, U.S. Patent Publication No. 2005/0030556.

Instead, in the combined references, the printer operator selects a job and queues it to an available printer (655), and the job is ripped and sent to the printer (660) (Stewart et al.), a control unit merely controls makeready files (Warmus et al.) and a PMC simply uses retrieved lists with all of the capabilities and constraints of devices (Ryan et al.). In contrast, clearly, the combined references do **not automatically pre-flight** a document file, including automatically checking for common errors associated during a prepress stage, automatically revising incorrect printing instructions, automatically adding missing printing instructions. The combined cited reference do not **automatically** provide a **remote proofing function** for a customer of the document to be printed, automatically track the printing of the document by **continuously monitoring and updating** a status of the document to be printed and create a press ready file at the designer location using the automatically pre-flighted and automatically proofed document file and the updated device information.

Therefore, because the combined cited references do not disclose, teach or suggest all of the features of the newly amended independent claims, the Applicant submits that a prima facie case of obviousness does not exist. As a result, the independent claims are patentable over the proposed combination of Stewart et al. in view of Warmus et al. and Ryan et al. As such, withdrawal of the obviousness rejection of the claims is respectfully requested.


With regard to the dependent claims, since they depend from the above-argued respective independent claims, they are therefore patentable on the same basis. (MPEP § 2143.03). Also, the other references cited by the Examiner also have been considered by the Applicant in requesting allowance of the dependant claims and none have been found to teach or suggest the Applicant's claimed invention.

Thus, it is respectfully requested that all of the claims be allowed based on the

amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicants kindly requests the Examiner to telephone the Applicant's attorney at **(818) 885-1575**. Please note that all mail correspondence should continue to be directed to:

Hewlett Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

Respectfully submitted,
Dated: August 28, 2008

A handwritten signature in dark ink, appearing to read 'Edmond A. DeFrank', is written over a horizontal line.

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